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FEDERAL REGISTER

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| <p style="text-align: center;">MODIFYING THE WHITE SANDS NATIONAL MONUMENT—NEW MEXICO</p> <p style="text-align: center;">BY THE PRESIDENT OF THE UNITED STATES OF AMERICA</p> <p style="text-align: center;">A PROCLAMATION</p> <p>WHEREAS it appears that certain sections of the right-of-way for United States Highway Route 70 are included within the White Sands National Monument in the State of New Mexico, established by Proclamation No. 2025 of January 18, 1933, and enlarged by Proclamation No. 2108 of November 28, 1934; and</p> <p>WHEREAS it appears that it would be in the public interest to exclude from the said monument such sections of the said right-of-way:</p> <p>NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that the White Sands National Monument in the State of New Mexico is hereby modified by eliminating therefrom all sections now included therein of the right-of-way for United States Highway Route 70.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.</p> <p>DONE at the City of Washington this 29 day of August in the year of [SEAL] our Lord one thousand nine hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-third.</p> <p style="text-align: right;">FRANKLIN D. ROOSEVELT</p> <p>The President:</p> <p style="text-align: right;">CORDELL HULL The Secretary of State.</p> <p style="text-align: right;">[No. 2295]</p> <p>[F. R. Doc. 38-2537; Filed, August 29, 1938; 3:20 p. m.]</p> | <p style="text-align: center;">TITLE 7—AGRICULTURE</p> <p style="text-align: center;">FARM SECURITY ADMINISTRATION [Administration Order 41 (Rev. 1) (Suppl. 10)]</p> <p style="text-align: center;">LOANS TO INDIVIDUALS FOR RURAL REHABILITATION AUGUST 19, 1938.</p> <p>1. <i>Purpose.</i>—This Supplement¹ establishes the policies and procedure for accomplishing the improvement of farm tenure arrangements of RR clients who are tenant farmers, and of other low-income tenant farmers who are potential applicants for RR loans.</p> <p>2. <i>Basis for activity.</i>—(a) Farm and Home Management Plans for rehabilitation are usually developed on the assumption that the client will remain upon the farm for the period of the rehabilitation loan. Insecure or unsatisfactory farm tenure arrangements may require the clients to move or may prevent successful rehabilitation in accordance with the plans developed.</p> <p>(b) Unsatisfactory and insecure tenure has contributed to the distress and need for emergency aid on the part of many rehabilitation clients; has retarded and may prevent their successful rehabilitation; or, even after successful rehabilitation, may cause recurring distress which will necessitate additional loans and grants at different intervals.</p> <p>(c) For the above reasons, the FSA has a proper interest in the farm tenure arrangements of existing or potential RR clients and is justified in requiring that such arrangements are equitable and satisfactory and provide reasonable security of tenure for tenant farmers to whom it makes rehabilitation loans. Such tenure arrangements will usually be of mutual advantage to both tenants and landlords.</p> <p>3. <i>Policy.</i>—(a) <i>Approval of tenure agreements for RR clients.</i>—I. The FSA</p> <p>¹Supplements para. 2a & 4a of AO 41 (Rev. 1); AO 40 (Rev. 2); par. 2 of AO 118 (Rev. 1); par. 21 of AO 130 (Rev. 2); AO 166 (Rev. 1); AO 199 (Rev. 1); & AI 35 (Rev. 1)</p> | <p style="text-align: center;">THE PRESIDENT</p> <p>Proclamation: Page</p> <p>White Sands National Monument, New Mexico, modification..... 2129</p> <p style="text-align: center;">RULES, REGULATIONS, ORDERS</p> <p>TITLE 7—AGRICULTURE:</p> <p>Farm Security Administration:</p> <p>Loans to individuals for rural rehabilitation..... 2129</p> <p>TITLE 11—AVIATION:</p> <p>Bureau of Air Commerce:</p> <p>Entry and clearance of aircraft..... 2130</p> <p>TITLE 20—FISH AND GAME:</p> <p>Bureau of Fisheries:</p> <p>Alaska fishery regulations, amendment..... 2131</p> <p>TITLE 43—PUBLIC LANDS:</p> <p>General Land Office:</p> <p>Permits and leases under the Mineral Leasing Acts in National Forests..... 2131</p> <p>Oregon, stock driveway withdrawal reduced..... 2131</p> <p>TITLE 46—SHIPPING:</p> <p>Bureau of Marine Inspection and Navigation:</p> <p>Rules and regulations for the carrying out of sections 4197 and 4200, as amended..... 2131</p> <p style="text-align: center;">NOTICES</p> <p>Department of Agriculture:</p> <p>Agricultural Adjustment Administration:</p> <p>Marketing agreement regarding the regulation and handling of walnuts grown in California, Oregon and Washington:</p> <p>Docket No. A-81 O-81..... 2133</p> <p>Docket No. A-82 O-82..... 2133</p> <p>Department of the Interior:</p> <p>Federal Advisers, Inc., hearing mission: 2135</p> <p>Minimum prices and marketing rules for Districts Nos. 16-23..... 2132</p> <p style="text-align: right;">(Continued on next page)</p> |



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will conduct a systematic program designed to provide more equitable and secure tenure arrangements for the mutual benefit of both tenants and landlords. This activity will apply to RR clients (FSA and state RR corporation) and to applicants or potential applicants for RR loans. County RR supervisors will make approved FSA lease forms available to standard RR clients and applicants and, upon request, to other low-income tenant farmers who are potential applicants, and to the landlords of such tenant farmers.

II. County RR supervisors will inquire into the tenure arrangements of all loan applicants who are tenant farmers, as part of the procedure in the preparation and recommendation of loan applications. The regional office will not approve such a loan to a prospective new RR client unless the loan application is accompanied by a lease (on an approved FSA lease form or, in special cases, on another form acceptable to the regional director or his delegatee) which provides

equitable tenure arrangements and gives the tenant reasonable security of tenure at least for the period of the loan.

III. FSA employees will use every reasonable and practicable means to promote improved tenure and leasing arrangements for existing RR clients. However, additional loans or other aid to existing RR clients, except loans for permanent improvements, will not be withheld solely because of the client's inability to procure written leases, if satisfactory conditions and reasonable security of tenure can be provided otherwise.

(b) *Loans for permanent improvements.*—An RR loan for making permanent improvements on a leased farm will not be made to the tenant farmer unless he has a written lease which provides definite security of tenure until he has received full benefit of the improvements, or which provides that he will be equitably compensated for such improvements if the lease is terminated or expires before full benefit of the improvements is realized, or unless there is a definite agreement between the tenant and the landlord by which the tenant will be compensated or credited on rent for expenditures in making such improvements.

(c) *Community and cooperative loans.*—Applications for community or cooperative loans to individuals should conform insofar as possible to the same general policy of security of tenure for the period of the loans as is required for standard RR loans. Leases should be consistent with the period of the loans whenever necessary to insure borrowers and participants continued benefit of the services. As a general rule, approval of community and cooperative loans will not be withheld solely because of the client's inability to secure acceptable tenure arrangements. However, efforts will be made to obtain the most favorable tenure arrangements possible.

(d) *Tenure improvement for low-income farmers who are not RR clients.*—Upon request, other low-income tenant farmers who are potential applicants for RR loans, and their landlords, may be furnished approved lease forms and given assistance through the tenure improvement program in working out satisfactory tenure arrangements.

(e) *Lease forms.*—Approved FSA lease forms which differ in accordance with the requirements of the various states, are available and may be obtained upon requisition to the BM Division, Washington, D. C. The requisitions must specify the states in which the forms are to be used.

[SEAL]

C. B. BALDWIN,
Acting Administrator.

Approved, August 30, 1938.

M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 38-2549; Filed, August 30, 1938;
12:02 p. m.]

TITLE 11—AVIATION

BUREAU OF AIR COMMERCE

PART 609. ENTRY AND CLEARANCE OF AIRCRAFT

Pursuant to the authority contained in section 7 (c) of the Air Commerce Act of 1926 (44 Stat. 572; 49 U. S. C. 177) and section 644 of the Tariff Act of 1930 (46 Stat. 761; 19 U. S. C. 1644), the following regulations are hereby issued by the Secretary of Commerce governing the entry and clearance of aircraft.

609.1 *Definitions.*—(a) The term "United States", when used in a geographical sense, means the territory comprising the several States, Territories (including Alaska and Hawaii), and possessions (including Puerto Rico) of the United States (except the Philippine Islands, the Virgin Islands, the Islands of Guam, Midway, American Samoa, Wake, and other insular possessions), and the District of Columbia, including the territorial waters thereof and the overlying air space;

(b) The term "foreign port or place" means any port or place outside the United States;

(c) The term "aircraft" means any aircraft not used exclusively in the governmental service of the United States or a foreign country;

(d) The term "airport of entry" means a place designated by the Secretary of the Treasury as a port of entry for civil aircraft, so long as such designation remains in force.

609.2 *Entry.*—Except in the case of forced landings, aircraft arriving in the United States from any foreign port or place shall make the first landing at an airport of entry, unless permission to land elsewhere than at an airport of entry is first obtained from the Commissioner of Customs.

609.3 *Clearance.*—(a) The person having charge or command of any aircraft of United States registry transporting passengers for hire or merchandise, and all aircraft of foreign registry, bound to a foreign port, shall clear at the customs port of entry nearest to the place of departure, or at the airport of departure if such airport has been designated as an airport of entry. Aircraft of United States registry not transporting passengers for hire or merchandise are not required to clear on departing from the United States;

(b) Clearance shall consist of the filing of a manifest, together with export declarations on Commerce Form 7525 for all cargo on board, and a correct list of passengers, if any, received on board, giving their names and addresses and, in the case of an aircraft of foreign registry, departing from a port of entry other than that at which it first arrived, the surrender of the permit to proceed inland issued at the first port;

(c) The manifest shall specify the kinds and quantities of the articles contained on board and the value and total

quantity of each kind of article. The manifest shall also contain a statement by the person in charge or command of the aircraft that the said manifest contains a full, just, and true account of all articles laden on board such aircraft by the owners, shippers, consignors, or carrier, respectively, and that the values of such articles are truly stated according to their actual cost or the values which they truly bear at the port and time of exportation; and shall show the foreign port or country in which such articles are truly intended to be landed. Such statement shall be under oath unless the total value of the merchandise is less than \$25 or it is to be shipped to or through Mexico or Canada;

(d) If export declarations are not at hand covering any or all of the cargo about to be transported by the aircraft, Collectors of Customs are authorized to grant clearance on commerce Form 1378 B, upon the execution of the bond on this form with security approved by the Collector of Customs in the penal sum of \$1,000;

(e) A clearance certificate, commerce Form 1378, may be issued when requested by the person in charge of the aircraft.

[SEAL] DANIEL C. ROPER,
Secretary of Commerce.
AUGUST 29, 1938.

[F. R. Doc. 38-2540; Filed, August 29, 1938;
4:17 p. m.]

TITLE 20—FISH AND GAME

BUREAU OF FISHERIES

[No. 251-24-11]

AMENDMENT OF ALASKA FISHERY REGULATIONS

AUGUST 29, 1938.

By virtue of the authority contained in the act of June 26, 1906 (34 Stat. 478, 480), as amended by the act of June 6, 1924 (43 Stat. 464), as amended by the act of June 18, 1926 (44 Stat. 752), as amended by the act of April 16, 1934 (48 Stat. 594), the regulations for the protection of the fisheries of Alaska published in Department of Commerce Circular No. 251,¹ twenty-fourth edition, issued under date of February 15, 1938, together with subsequent regulations,² are hereby amended by the following regulation:

SOUTHEASTERN ALASKA AREA

Clarence Strait District

Salmon fishery.—Regulation No. 6 is hereby amended so as to permit commercial fishing for salmon north of a line extending from Narrow Point to Ernest Point from 6 o'clock postmeridian August 29 to 6 o'clock postmeridian August 31.

[SEAL] DANIEL C. ROPER,
Secretary of Commerce.

[F. R. Doc. 38-2538; Filed, August 29, 1938;
4:18 p. m.]

¹ 3 F. R. 451 DI.
² 3 F. R. 2116 DI.

TITLE 43—PUBLIC LANDS

GENERAL LAND OFFICE

STIPULATION REQUIRED IN CONNECTION WITH PERMITS AND LEASES UNDER THE MINERAL LEASING ACTS, FOR LANDS IN NATIONAL FORESTS

[CIRCULAR NO. 1450]

The following regulation is promulgated, pursuant to departmental instructions of March 30, 1938:

SEC. 191.4 *Stipulation required of applicants for permits and leases for lands in national forests.*—All applicants on and after March 30, 1938, for permits and leases under the mineral leasing act of February 25, 1920 (41 Stat. 437), as amended, for lands in the national forests, will be required to file a stipulation prior to issuance of permit or lease substantially as follows:

If permittee or lessee shall construct any camp on the land, such camp shall be located at a place approved by the forest supervisor, and such forest supervisor shall have authority to require that such camp be kept in a neat and sanitary condition. This requirement is subject to the permittee's or lessee's right of appeal to the Secretary of the Interior in case he disagrees with the forest supervisor.¹

FRED W. JOHNSON,
Commissioner.

Approved, August 12, 1938.

E. K. BURLEW,
Acting Secretary of the Interior.

[F. R. Doc. 38-2541; Filed, August 30, 1938;
10:10 a. m.]

STOCK DRIVEWAY WITHDRAWAL No. 209, OREGON No. 26, REDUCED

AUGUST 25, 1938.

Departmental orders of January 19,¹ April 5,² and October 1, 1937,³ withdrawing certain lands in Oregon for stock driveway purposes under section 10 of the act of December 29, 1916, 39 Stat. 862, as amended by the act of January 29, 1929, 45 Stat. 1144, are hereby revoked in so far as they affect the following-described lands:

WILLAMETTE MERIDIAN

T. 11 S., R. 26 E.,
sec. 33, SE $\frac{1}{4}$, SE $\frac{1}{4}$.
T. 12 S., R. 26 E.,
sec. 4, lots 1, 2, 3 and 4;
aggregating 199.14 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 38-2542; Filed, August 30, 1938;
10:11 a. m.]

¹ Issued under authority of Sec. 32, 41 Stat. 450; 30 U. S. C. 189.

² 2 F. R. 226 (269 DI).

³ 2 F. R. 717 (847 DI).

⁴ 2 F. R. 2167 (2523 DI).

TITLE 46—SHIPPING

BUREAU OF MARINE INSPECTION AND NAVIGATION

RULES AND REGULATIONS FOR THE CARRY- ING OUT OF THE PROVISIONS OF SEC- TIONS 4197 AND 4200 OF THE REVISED STATUTES, AS AMENDED

AUGUST 27, 1938.

By virtue of the authority of Section 4197 of the Revised Statutes, as amended by the Act of August 5, 1935, the Act of June 16, 1938, and Public Resolution 130, approved June 29, 1938 (U. S. C. Title 46, Section 91); and Section 4200 of the Revised Statutes, as amended by the Act of June 16, 1938, and Public Resolution 130, approved June 29, 1938 (U. S. C. Title 46, Section 92); and the Act of April 29, 1902, as amended by the Act of May 17, 1932 (U. S. C. Title 46 Section 95), the following rules and regulations are prescribed for the carrying out of the provisions of the aforesaid sections, as amended, relative to the filing of manifests and shippers' export declarations; the taking of bond insuring the filing of completed manifests and all shippers' export declarations; and the form of bond to be taken, as well as the action to be taken when penalties are incurred and the condition of the bond has not been fulfilled:

1. Any vessel taking on cargo for a foreign port, or a port in non-contiguous territory belonging to the United States, and a complete cargo manifest has not been filed, may, by application to the collector of customs on Commerce Form 1378B and the execution of the bond thereon by the owner of the vessel, or by an attorney in fact, with security approved by the collector of customs as provided in Section 4197, R. S., as amended, be granted clearance.

2. The condition of the bond which is given to cover the furnishing of a completed manifest shall be that a completed outward manifest of all cargo laden on the vessel shall be filed in accordance with the provisions of Section 4197, R. S., as amended.

3. The bond which is given to cover the furnishing of a completed manifest shall be in the penal sum of \$1,000.00.

4. The master or person having charge or command of a vessel may execute the bond required under Section 4197, R. S., as amended, on behalf of the owner, as attorney in fact.

5. Any vessel taking on cargo for a foreign port, or a port in non-contiguous territory, and all shippers' export declarations covering cargo laden on board have not been filed, may, by application to the collector of customs on Commerce Form 1378B and the execution of the bond thereon, with security approved by the collector of customs as provided in Section 4200, R. S. as amended, be granted clearance.

6. The condition of the bond which is given to cover the furnishing of shippers' export declarations covering all cargo laden on the vessel shall be that shippers'

export declarations covering all cargo laden on the vessel shall be filed in accordance with the provisions of Section 4200, R. S. as amended.

7. The bond which is given to cover the furnishing of shippers' export declarations covering all cargo laden on the vessel shall be in the penal sum of \$1,000.00.

8. The owner, shipper or consignor of the cargo; the owner or the master of the vessel; or the attorney in fact of any of these parties may execute the bond required under Section 4200, R. S. as amended.

9. Any vessel taking on cargo for a foreign port, or a port in non-contiguous territory, and a complete cargo manifest and shippers' export declaration covering all cargo laden on board have not been filed, may, by application to the collector of customs on Commerce Form 1378B and the execution of the bond thereon, with security approved by the collector of customs as provided under Sections 4197 and 4200, R. S., as amended, be granted clearance.

10. The condition of the bond which is given to cover the furnishing of a completed manifest and shippers' export declarations covering all cargo laden on the vessel shall be that a completed outward manifest and shippers' export declarations covering all cargo laden on the vessel shall be filed in accordance with the provisions of Section 4197, R. S., as amended and Section 4200, R. S., as amended.

11. The bond which is given to cover the furnishing of a completed manifest and shippers' export declarations of all cargo laden on the vessel shall be in the penal sum of \$2,000.00.

12. The owner of a vessel or a fleet of vessels may desire to execute a term bond conditioned that thereafter there will be full compliance with Sections 4197 and 4200, R. S. as amended, and if so, may file with the collector of customs at the principal port of entry, for transmission to the Secretary of Commerce, an application for permission to file such term bond. The application shall be accompanied by the recommendation of the collector as to the amount of the bond and the financial ability of the surety or sureties proposed, together with a statement showing the ports in the United States at which it is intended that the vessel or vessels shall trade. Upon receipt of notification from the Secretary of Commerce of the approval of the application for permission to file a term bond, the collector may thereupon permit the owner of the vessel or fleet of vessels to file a duly executed term bond on Commerce Form 1380. In all cases where a duly executed term bond has been filed with the collector of customs, the execution of the bond on Commerce Form 1378B may be waived. Upon the filing of the term bond, the collector of customs accepting the same shall immediately convey this information to the collectors of customs of the other ports covered by the term bond.

13. Sureties on the bond required, their qualifications and the execution of the bond shall be in conformity with the instructions contained in Commerce Forms 1378B and 1380.

14. In the event a complete cargo manifest and/or all shippers' export declarations are not filed within the four days allowed under Section 4197, R. S. as amended, and Section 4200, R. S. as amended, the principal and surety or sureties will be responsible under the bond given by them for every day's delay in filing same after the statutory four-day period; and the collector of customs shall mail a notice to the principal and surety or sureties informing them of any delinquency that has occurred, and make demand upon them for the payment of the penalty thereby incurred. In the event the principal or surety or sureties fail to make settlement within fifteen days after date of such notice the collector of customs will make report thereof to the Department of Commerce, transmitting therewith a certified copy of the bond and a statement showing the amount of the accrued penalty to be exacted in accordance with the terms of the bond.

15. The statutory four-day period of grace begins to run from the date on which final clearance of the vessel is accomplished.

[SEAL]

DANIEL C. ROPER,
Secretary of Commerce.

[F. R. Doc. 38-2539; Filed, August 29, 1938;
4:17 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS

NOTICE OF AND ORDER FOR HEARING

Pursuant to Act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

1. That notice be and the same hereby is given to all interested parties that a hearing in the above entitled matter shall be held before the Commission, commencing on the 14th day of September, 1938, at 10:00 o'clock A. M., in the Hearing Room of the Commission at the Albany Hotel, Denver, Colorado, for the purpose of receiving evidence relating to the proposals of the minimum prices and marketing rules and regulations submitted by District Boards Nos. 16, 17, 18, 19, 20, 22 and 23, to the Commission, pursuant to Orders Nos. 244 and

245,¹ dated July 30, 1938, to enable the Commission to approve such proposed minimum prices and marketing rules and regulations, or to enable the Commission to modify such proposed minimum prices so as to conform them to the requirements of Section 4-II (a) of the Act, or to enable the Commission to modify the proposed marketing rules and regulations as provided in said Section 4-II (a) of the Act, in order that such proposed minimum prices and marketing rules and regulations, as approved, or modified, as the case may be, may serve as the basis for the coordination as provided by Section 4-II (b) of the Act, at which time all interested parties will be afforded an opportunity to be heard.

2. That at said hearing the Commission will receive evidence relating to the kinds, qualities, and sizes of coal produced in each of the aforesaid districts, and evidence relating to the classification of such coal, price variations as to mines, consuming market areas, values as to uses and seasonal demand, and evidence as to whether or not such proposed minimum prices conform, or in what respect they should be modified so as to conform, to the following requirements of subsection (a) of Part II, Section 4 of the Act:

a. The proposed minimum prices for each of the aforesaid districts shall yield a return, per net ton, for such districts, equal as nearly as may be to the weighted average of the total costs, per net ton, of the tonnage of the minimum price area within which such district is located, as said weighted average heretofore has been determined by Orders of the Commission dated July 30, 1938 and August 1, 1938, in this proceeding.

b. They shall reflect, as nearly as possible, the relative market value of the various kinds, qualities and sizes of coal to which they are applicable.

c. They shall be just and equitable as between producers within the district.

d. They shall have due regard to the interests of the consuming public.

e. They shall be just and equitable as between producers within the district, for any kind, quality or size of coal for shipment into any consuming market area.

f. They shall not permit dumping.

At said hearing the Commission will also receive evidence as to whether or not such proposed marketing rules and regulations are consistent with the requirements of Section 4-II (a) of the Act, and conform to the standards of fair competition established by the Act, or in what respect they should be modified to be made consistent with the requirements of Section 4-II (a) of the Act, and to conform to the standards of fair competition established by said Act.

3. That the Secretary is hereby directed to cause copies of the aforesaid proposals to be made available forthwith for inspection by interested parties at the office of the Secretary of the Com-

¹ 3 F. R. 1894, 1895 DI.

mission at Washington, D. C., and at the office of each Statistical Bureau of the Commission within each of Districts Nos. 16, 17, 18, 19, 20, 22 and 23.

4. That the Secretary of the Commission shall cause a copy of this Notice of and Order for Hearing to be published forthwith in the FEDERAL REGISTER and in two consecutive issues of a newspaper of general circulation in each of the aforesaid districts, and shall cause copies hereof to be mailed to each code member, the Consumers' Counsel, and to the Secretary of each District Board, and to be made available for inspection in each of the Statistical Bureaus of the Commission.

By Order of the Commission.

Dated this 29th day of August, 1938.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 38-2543; Filed, August 30, 1938;
10:38 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-81 O-81]

NOTICE OF HEARING WITH RESPECT TO A PROPOSED AMENDMENT TO THE MARKET- ING AGREEMENT REGULATING THE HAND- LING OF WALNUTS

CALIFORNIA, OREGON AND WASHINGTON

AUGUST 30, 1938.

Whereas, under Public Act No. 10, 73rd Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, (hereinafter referred to as the "act"), notice of hearing is required in connection with a proposed marketing agreement, a proposed order, or proposed amendments thereto, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas, the Secretary of Agriculture executed a marketing agreement and issued an order regulating the handling of walnuts grown in California, Oregon and Washington on October 11, 1935, and executed amendments thereto on September 23, 1936¹ and on September 23, 1937;² and

Whereas, the Secretary of Agriculture has reason to believe that the execution of an amendment to the marketing agreement and the issuance of an amendment to the order will tend to effectuate the declared policy of said act with respect to the handling of walnuts grown in California, Oregon and Washington;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed amendment to the mar-

keting agreement and proposed amendment to the order regulating the handling of walnuts grown in California, Oregon and Washington in the Palace Hotel, San Francisco, California, on September 6, 1938 at 9:30 a. m., pacific standard time.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate an amendment to the said marketing agreement and order to effectuate the declared policy of the act and as to the specific provisions which the proposed amendment to the marketing agreement and proposed amendment to the order should contain.

The proposed amendment to the marketing agreement and the proposed amendment to the order provide, in similar terms, that: (a) the salable percentage for the crop year September 1, 1938 to August 31, 1939, shall be 75 per cent, and (b) the surplus percentage for said crop year shall be 25 per cent.

Copies of the proposed amendment to the marketing agreement and proposed amendment to the order may be procured from the Hearing Clerk, Room 0318, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL] M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 38-2551; Filed, August 30, 1938;
12:03 p. m.]

[Docket No. A-82 O-82]

NOTICE OF HEARING WITH RESPECT TO A PROPOSED AMENDMENT TO THE MARKET- ING AGREEMENT AND THE ORDER REGU- LATING THE HANDLING OF WALNUTS

CALIFORNIA, OREGON AND WASHINGTON

AUGUST 30, 1938.

Whereas, under Public Act No. 10, 73rd Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), notice of hearing is required in connection with a proposed marketing agreement, a proposed order, or proposed amendments thereto, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas, the Secretary of Agriculture executed a marketing agreement and issued an order regulating the handling of walnuts grown in California, Oregon and Washington on October 11, 1933, and executed amendments thereto on September 23, 1936¹ and on September 23, 1937;² and

Whereas, the Secretary of Agriculture has reason to believe that the execution

of an amendment to the marketing agreement and the issuance of an amendment to the order will tend to effectuate the declared policy of said act with respect to the handling of walnuts grown in California, Oregon and Washington;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed amendment to the marketing agreement and proposed amendment to the order regulating the handling of walnuts grown in California, Oregon and Washington in the Palace Hotel, San Francisco, California, on September 6, 1938, at 2:00 p. m., pacific standard time.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate an amendment of the said marketing agreement and order to effectuate the declared policy of the act and as to the specific provisions which the proposed amendment to the marketing agreement and proposed amendment to the order should contain.

The proposed amendment to the marketing agreement and the proposed amendment to the order provide, in similar terms, among other things: (a) that the salable percentage for the crop year September 1, 1938 to August 31, 1939 shall be 75 per cent, (b) that the surplus percentage for said crop year shall be 25 per cent, (c) that in event of an increase of the salable percentage, as provided in Section 2 of Article V, each contributing packer shall be entitled to the return of walnuts or payments of cash to the extent, and in the order and manner, specified in said proposed amendment, and (d) for method of payment of administrative expenses by packers in event salable percentage is fixed at 100 per cent or is not established for the respective crop year.

Copies of the proposed amendment to the marketing agreement and proposed amendment to the order may be procured from the Hearing Clerk, Room 0318, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL] M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 38-2550; Filed, August 30, 1938;
12:02 p. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

¹ 1 F. R. 1455.

² 2 F. R. 1953 (2288 DI).

¹ 1 F. R. 1455.

² 2 F. R. 1953 (2288 DI).

[Docket No. 3317]

IN THE MATTER OF MATHIESON ALKALI WORKS, INC., THE ELECTRO BLEACHING GAS COMPANY, SOLVAY SALES CORPORATION, THE HOOKER ELECTROCHEMICAL COMPANY, THE DIAMOND ALKALI COMPANY, THE BELLE ALKALI COMPANY, THE MONSANTO CHEMICAL COMPANY, PENNSYLVANIA SALT MANUFACTURING COMPANY, AND THE COLUMBIA ALKALI CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, October 4, 1938, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 38-2544; Filed, August 30, 1938;
11:44 a. m.]

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 26th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3347]

IN THE MATTER OF JOHN F. JELKE
COMPANY, INC.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Edward J. Hornbrook, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, September 15, 1938, at eleven o'clock in the forenoon of that day (eastern standard time) in Room 332, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 38-2545; Filed, August 30, 1938;
11:44 a. m.]

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3370]

IN THE MATTER OF GRAND NATIONAL FILMS,
INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, September 22, 1938, at nine o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 38-2546; Filed, August 30, 1938;
11:45 a. m.]

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 26th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3425]

IN THE MATTER OF BENTON ANNOUNCEMENTS, INCORPORATED A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 19, 1938, at nine o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 38-2547; Filed, August 30, 1938;
11:45 a. m.]

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3454]

IN THE MATTER OF K & K SUPPLY COMPANY, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on

Thursday, September 15, 1938, at nine o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 38-2548; Filed, August 30, 1938;
11:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August, A. D. 1938.

[File No. 43-142]

IN THE MATTERS OF LONE STAR GAS CORPORATION, ET AL.

ORDER MAKING DOCUMENTS PART OF RECORD

The joint hearings¹ on the matters referred to hereinabove having been ordered closed on the 24th day of August, 1938; and

Subsequent to that date an agreement by Lone Star Gas Corporation, relating to the price at which certain bonds are to be sold to the issuing subsidiary companies, having been transmitted to this

¹ 3 F. R. 1891 DI.

Commission in a letter dated August 26, 1938 and signed by D. A. Hulcy, Executive Vice-President of Lone Star Gas Corporation; and

By telegram dated August 27, 1938 Marshall Newcomb, acting as attorney on behalf of the declarants and applicants in these matters, having stipulated that said letter may be made a part of the record in these proceedings; and

It now appearing that said agreement and stipulation are material to the issues in said matters and pertinent to the findings therein;

It is ordered, That said letter and telegram be and the same hereby are made a part of the record in the matters contained in Commission's File No. 43-142.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 38-2552; Filed, August 30, 1938;
12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1938.

[File No. 37-26]

IN THE MATTER OF FEDERAL ADVISERS, INC.

NOTICE OF AND ORDER FOR HEARING

A Declaration pursuant to section 13 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on September 15, 1938,

at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Charles S. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 10, 1938.

The matter concerned herewith is in regard to a Declaration with respect to the organization and conduct of the business of a subsidiary service company pursuant to Rule U-13-22.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 38-2553; Filed, August 30, 1938;
12:51 p. m.]

